

IAP13 Rec'd PCT/PTO 13 DEC 2006 *b pct*

Dkt. 68682-PCT-US/JPW/GJG/AGC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Timothy Vollmer  
U.S. Serial No. : 10/556,454 (national stage of PCT International Application No. PCT/US2004/015225)  
Filed : November 11, 2005  
For : COMBINATION THERAPY WITH GLATIRAMER ACETATE AND MITOXANTRONE FOR TREATMENT OF MULTIPLE SCLEROSIS

1185 Avenue of the Americas  
New York, New York 10036  
December 11, 2006

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION IN RESPONSE TO OCTOBER 24, 2006**  
**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371**  
**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This Communication is submitted in response to the October 24, 2006 Notice Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated Elected Office (DO/EO/US) issued by the United States Patent and Trademark Office in connection with the above-identified application. The October 24, 2006 Notification, a copy of which is attached hereto as **Exhibit A**, provides two (2) months for filing a response. Therefore, a response to the October 24, 2006 Notice is due December 24, 2006. Accordingly, this Communication is being timely filed.

12/18/2006 MKAYPAGH 00000066 10556454

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Remarks

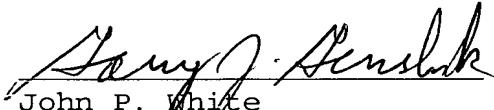
The October 24, 2006 Notification indicates that the oath or declaration is unsigned. In response, applicants submit hereto as **Exhibit B** a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.497(a) and (b), identifying the application by the International application number and International filing date.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee, other than the \$130.00 declaration surcharge is deemed necessary in connection with the filing of this Communication. Accordingly, a check in the amount of \$130.00 is enclosed. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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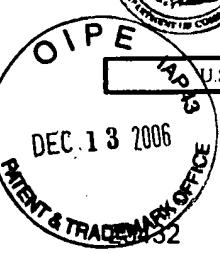
I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Mail Stop Missing Parts

*Gary J. Gershik* *12/11/06*  
Gary J. Gershik Date  
Registration No. 39,992



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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[www.uspto.gov](http://www.uspto.gov)



U.S. APPLICATION NUMBER NO.

10/556,454

FIRST NAMED APPLICANT

Timothy Vollmer

ATTY. DOCKET NO.

68682-PCT-US/JPW/JW

INTERNATIONAL APPLICATION NO.

PCT/US04/15225

I.A. FILING DATE

05/14/2004

PRIORITY DATE

05/14/2003

COOPER & DUNHAM, LLP  
 1185 AVENUE OF THE AMERICAS  
 NEW YORK, NY 10036

CONFIRMATION NO. 1309

371 FORMALITIES LETTER



\*OC000000020946874\*

Date Mailed: 10/24/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/11/2005
- Copy of the International Search Report filed on 11/11/2005
- Preliminary Amendments filed on 11/11/2005
- Information Disclosure Statements filed on 11/11/2005
- Request for Immediate Examination filed on 11/11/2005
- U.S. Basic National Fees filed on 11/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**BEST AVAILABLE COPY**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

INDIA L EVANS

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Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,454	PCT/US04/15225	68682-PCT-US/JPW/JW

FORM PCT/DO/EO/905 (371 Formalities Notice)